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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicant: Gerardo R. Vasta, et al.

Application No.: 09/771,935

Date Filed: January 30, 2001

Title: ASSAY FOR PERKINSUS IN SHELLFISH

Docket No.: 4115-137 CIP

Examiner: Unknown

Art Group: 1711



23448

PATENT TRADEMARK OFFICE

EXPRESS MAIL CERTIFICATE

It hereby is certified by the person identified below that the attached documents are being mailed by such person to the Commissioner of Patents and Trademarks on the date specified, in an envelope addressed to the Commissioner of Patents, Washington, DC 20231, and Express Mailed under the provisions of 37CFR 1.10.

Lee Ann Brown

Lee Ann Brown

August 17, 2001

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**SUBMISSION OF SUBSTITUTE SEQUENCE LISTING IN
U.S. PATENT APPLICATION NO. 09/771,935
AND
STATEMENT OF IDENTITY UNDER 27 C.F.R. §1.821 (f)**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby submit a substitute Sequence Listing (entitled "137 CIP Sequence Listing.ST25") in both paper and computer readable form, to replace the original Sequence Listing submitted on February 28, 2001.

The substitute Sequence Listing corrected an inadvertent omission in Sequence No. 4 of the original Sequence List submitted on February 28, 2001. The original Sequence No. 4, which is identified as a forward primer for *Perkinsus marinus*, reads as follows:

cacttgatt gtgaagcacc

However, both Figure 5 and Figure 20 disclose a forward primer for *Perkinsus marinus* that reads as:

cacttgatt gtgaagcacc c in figure 5 ✓

Therefore, it is evident that the original Sequence Listing submitted on February 28, 2001 inadvertently omitted the last base "c" in the forward primer for *Perkinsus marinus*, and the substitute Sequence Listing submitted herewith purports to correct such omission.

Moreover, the February 28, 2001 Sequence Listing recites a Sequence No. 5 for a reverse primer for *Perkinsus marinus*, which reads as follows:

gtcatttgga gatgtcacca a

However, such sequence is not supported by any disclosure in the Specification. Moreover, both Figure 5 and 20 suggest that the reverse primer for *Perkinsus marinus* shall read as:

ttggtgacat ctccaaatga c in figure 20 ✓


The substitute Sequence Listing submitted herewith revises Sequence No. 5, consistent with the disclosure in the Specification as originally submitted.

The substitute Sequence Listing contains a new SEQ ID NO. 19, which is a generic forward PER1 primer for *Perkinsus marinus*, as disclosed by Figure 20 of the Specification as originally filed.

The substitute Sequence Listing submitted herewith thus does not introduce any new matter in the instant application, and applicants respectfully request that future examination be conducted on the basis of the substitute Sequence Listing.

Applicants hereby state that the paper copy and the computer readable copy of the Sequence Listing submitted herewith are in compliance with the requirements of 37 C.F.R. 1.821-1.825, and that the information recorded in the computer readable copy is identical to that on the paper copy of the Sequence Listing.

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